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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: *g* DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Civil No. 08cv0253-W(AJB)
Plaintiff,) JUDGMENT
v.) OF FORFEITURE
\$5,230.00 IN U.S. CURRENCY,)
Defendant.)

Having reviewed the foregoing Joint Motion and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED and DECREED:

The Joint Motion is approved.

1. The parties have entered into this joint motion in order to resolve the matter of the
20 seizure and forfeiture of the above-referenced defendant (“defendant currency”).

2. The parties have agreed to a settlement which is hereinafter described in its
22 particulars.

3. \$3,500.00 of the defendant currency shall be forfeited and condemned to the
24 United States pursuant to Title 21, United States Code, Section 881. Judgment shall be entered in
25 favor of the United States on its complaint. The remainder of the defendant currency, \$1,730.00,
26 shall be returned to Claimant.

4. Costs incurred by the United States incident to the seizure and custody of the
28 defendant currency, if any, shall be borne by the United States.

1 5. The person or persons who made the seizure or the prosecutor shall not be liable to
2 suit or judgment on account of such seizure in accordance with Title 28, United States Code,
3 Section 2465. Claimant agrees that by entering into this joint motion, he has not "substantially
4 prevailed" within the meaning of 28 U.S.C. § 2465. Each party shall bear its own costs and
5 expenses, including attorney fees.

6 6. Claimant has warranted and represented as a material fact that he is the sole owner
7 of the defendant currency and further warrants that no other person or entity has any right, claim
8 or interest in the Defendant, and that he will defend and indemnify the United States against any
9 and all claims made against it on account of the seizure and forfeiture of the defendant currency.

10 7. The claimant, his agents, employees, or assigns, shall hold and save harmless the
11 United States of America, its agents and employees, from any and all claims which might result
12 from the seizure of the defendant.

13 8. Following forfeiture of the United States' portion and distribution of the Claimant's
14 portion of the defendant currency as described above, this case shall be closed.

15 Let judgment be entered accordingly.

16 DATED: *4/21/08*

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19 THOMAS J. WHELAN, Judge
20 United States District Court

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